

Attachment 17:
Notification of Native Americans



Monday, March 12, 2001

VIA FAX: (916) 657-5390

Rob Wood
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

RE: Native American Heritage Commission Notification Letter
Larkspur Energy Facility – CEC Docket #01-EP-1 (San Diego County)
Indigo Energy Facility – CEC Docket # 01-EP-2 (Riverside County)

Dear Mr. Wood:

We are planning to develop two (2) energy-generating facilities in California:

1. The Larkspur Energy Facility will be 2 - 45MW simple cycle gas fired generating facilities with a combined nominal capacity of 90MW. These two facilities will be located in San Diego County near San Ysidro / Highway 8; and
2. The Indigo Energy Facility will be 3 - 45MW simple cycle gas fired generating facilities with a combined nominal capacity of 135MW. These three facilities will be located in Riverside County within the City limits of Palm Springs north of Interstate 10 (see attached vicinity map).

We are planning to begin construction of these facilities before the end of March 2001, and are in the process of submitting our applications to the California Energy Commission. One requirement of the application process is to properly notify any interested Native American communities in proximity to the proposed facilities.

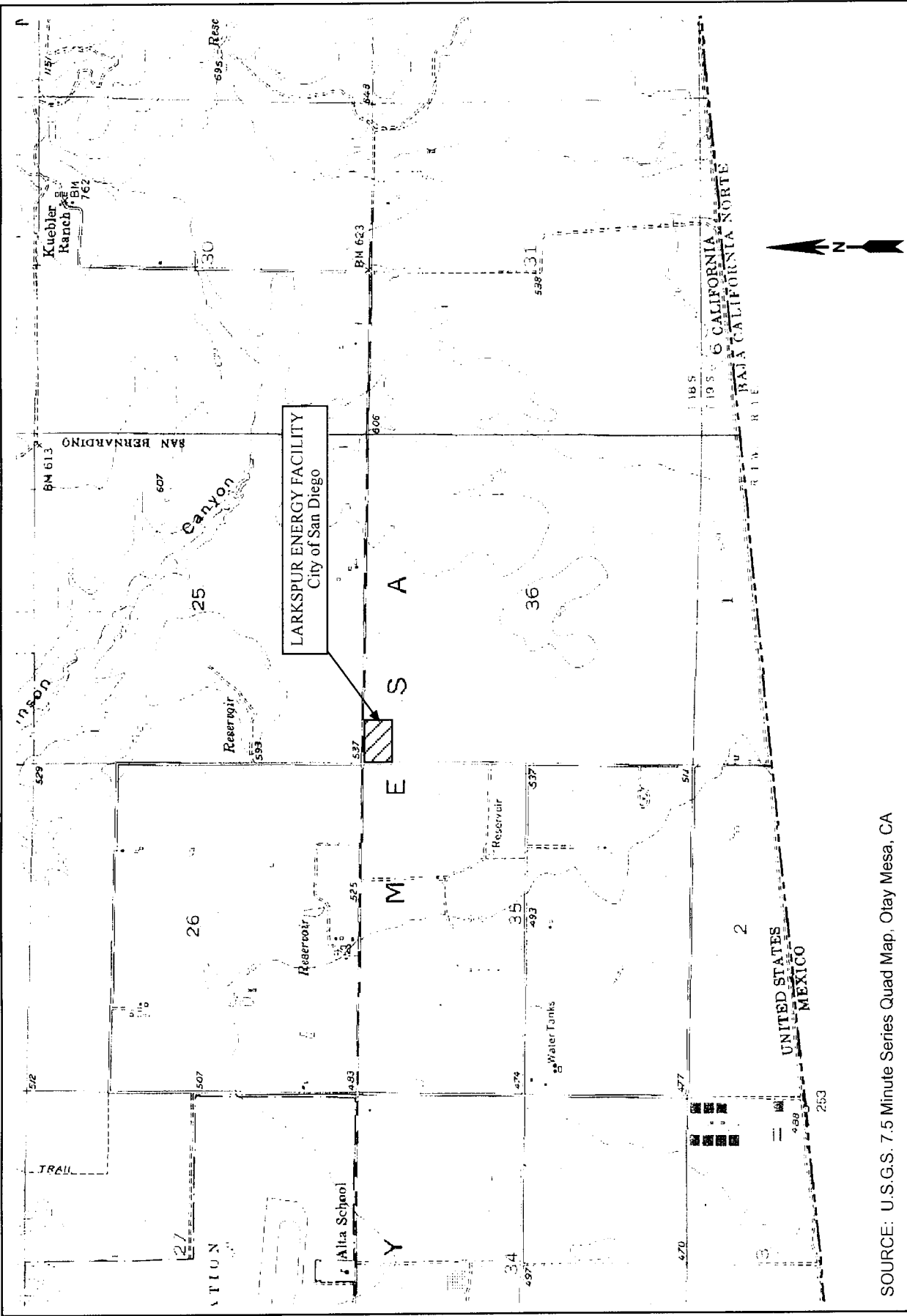
Therefore, please provide us with the appropriate notification list as soon as possible. Thank you very much for your cooperation and immediate attention to this matter. Please contact me at (713) 374-3914 if you have any questions regarding this request.

Sincerely,

A handwritten signature in black ink that reads "Mark Turner". The signature is written in a cursive style with a large, stylized "M" and "T".

Mark Turner
Project Development Manager

L:\Acacia Energy Facility\larkspur_lan\h9 2\01



NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
Fax (916) 657-5390



March 12, 2001

Mark Turner
Wildflower Energy LP
Two Houston Center
909 Fannin, Suite 2222
Houston, TX 77002

RE: Larkspur Energy Facility - CEC Docket #01-EP-1 (San Diego County); Indigo Energy
Facility - CEC Docket #01-EP-2 (Riverside County)

Sent By Fax: (713) 374-3901
Pages Sent: 5

Dear Mr. Turner:

A record search of the Sacred Lands File has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend other with specific knowledge. A minimum of two weeks must be allowed for responses after notification.

If you receive notification of change of addresses and phone numbers from any these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 653-4040.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rob Wood".

Rob Wood
Associate Governmental Program Analyst

NATIVE AMERICAN CONTACTS
San Diego County
March 12, 2001

Barona Group of the Capitan Grande
Clifford LaChappa, Spokesman
1095 Barona Road Diegueno
Lakeside, C A 92040
(619) 443-6612/13

Santa Ysabel Band of Mission Indians
Ben Scerato, Chairperson
PO Box 130 Diegueno
Santa Ysabel, C A 92070
(760) 765-0846
(760) 765-0320 Fax

Ewiiapaayp Tribal Office
Tony Pinto, Chairperson
PO Box 2250 Diegueno
Alpine, C A 91903-2
(619) 445-6315

Sycuan Band of Mission Indians
Georgia Tucker, Chairperson
5459 Dehesa Road Diegueno
El Cajon, C A 92021
619 445-2613
619 445-1927 Fax

La Posta of Mission Indians
Gwendolyn Parada, Chairperson
PO Box 1048 Diegueno
Boulevard, C A 91905
(619) 478-2113

Viejas Band of Mission Indians
Steven TeSam, Chairperson
PO Box 908 Diegueno
Alpine, C A 91903
(619) 445-3810
(619) 445-5337 Fax

Manzanita Band of Mission Indians
Leroy J. Elliott, Chairperson
PO Box 1302 Diegueno
Boulevard, C A 91905
(619) 766-4930
(619) 766-4930 Fax

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grade Road Diegueno/Kumeya
Alpine, C A 92001
(619) 445-0385

San Pasqual Band of Mission Indians
Allen E. Lawson, Chairperson
PO Box 365 Diegueno
Valley Center, C A 92082
(760) 749-3200
(760) 749-3876

Campo Band of Mission Indians
Ralph Goff, Chairperson
36190 Church Road, Suite 1 Diegueno
Campo, C A 91906
(619) 478-9046
(619) 478-5818 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is on ly applicable for contacting local Native Americans with regards to the cultural assessment for the proposed Wildflower Energy, Larkspur Energy Facility, City and County of San Diego.

NATIVE AMERICANS
San Diego County
March 12, 2001

Capitan Grande Band of Mission Indians
Diegueno
Alpine, C A

Inaja Band of Mission Indians
Rebecca Maxcy
PO Box 186
Santa Ysabel, C A 92070
Diegueno

Jamul Indian Village
Kenneth Meza, Chairperson
P.O. Box 612
Jamul, C A 91935
(619) 669-4785
Fax: (619) 669-4817
Diegueno

Kumeyaay Cultural Repatriation Committee
Steve Banegas, Spokesperson
1095 Barona Road
Lakeside, C A
(619) 443-6612
(619) 443-0681 FAX
Diegueno/Kumeyaa

Mesa Grande Band of Mission Indians
Howard Maxcy, Chairperson
P.O Box 270
Santa Ysabel, C A 92070
(960) 782-3818
(960) 782-3570 Fax
Diegueno

Kumeyaay Cultural Heritage Preservation
Frank Salazar
3611190 Suite 5, Church Road
Campo, C A 91906
(619) 478-9046
(619) 478-5818 Fax
Diegueno/ Kumeyaay

Carmen Lucas
PO Box 44
Julian, C A 92036
(619) 709-4207
Diegueno - Kwaaymil

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is on ly applicable for contacting local Native Americans with regards to the cultural assessment for the proposed Wildflower Energy, Larkspur Energy Facility, City and County of San Diego.

- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check.
 - A list of appropriate Native American Contacts for consultation concerning the project site and to assist in developing mitigation measures.
- ✓ Provisions for accidental discovery of archeological resources:
 - ◆ Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should include provisions for accidentally discovered archeological resources during construction per CEQA §15064.5 (f).
- ✓ Provisions for discovery of Native American human remains
 - ◆ Health and Safety Code §7050.5, CEQA §15064.5 (e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery and should be included in all environmental documents.

If in fact adequate work to assess the presence of archeological resources in compliance with CEQA has not been completed, as outlined above, the NAHC requests that the project be suspended until that work has been completed. Furthermore, the NAHC request that a certified archeologist be immediately contracted to identify site boundaries, assess the site for damage and the presence of Native American human remains, and to develop a plan for site restoration/stabilization and/or a data recovery as appropriate. Please submit your plans for review and evaluation by NAHC staff prior to the beginning of any work.

If you have any questions, please contact me at (916) 653-4040.

Sincerely,

Rob Wood
Associate Governmental Program Analyst

CC: Ms. Suzanne Ambrose, Deputy Attorney General
Department of Justice
Ms. Rebecca Stewart
California Regional Water Resources Control Board
San Diego Region IX

Knox Mellon
Office of Historic Preservation

WILDFLOWER
ENERGY



Tuesday, March 13, 2001

Barona Group of the Capitán Grande
Clifford LaChappa, Spokesman
1095 Barona Road
Lakeside, CA 92040

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. LaChappa:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

We are sending this letter to you since you were one of the individuals / organizations on a list given to us by the Native American Heritage Commission to contact for notification of their determination / findings and also obtain any additional knowledge that you may have concerning cultural resources that may be present on our project site.

Thank you very much for your immediate attention to this matter, and if you have any questions or need any clarifications, please do not hesitate to contact me at (713) 374-3914.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Turner", with a stylized flourish at the end.

Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010



Tuesday, March 13, 2001

Ewiiapaayp Tribal Office
Tony Pinto, Chairperson
PO Box 2250
Alpine, CA 91903-2

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. Pinto:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Sincerely,

Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010



Tuesday, March 13, 2001

La Posta of Mission Indians
Gwendolyn Prada, Chairperson
PO Box 1048
Boulevard, CA 91905

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Ms. Prada:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Thank you very much for your immediate attention to this matter, and if you have any questions or need any clarifications, please do not hesitate to contact me at (713) 374-3914.

Sincerely,

Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010

WILDFLOWER
ENERGY



Tuesday, March 13, 2001

Manzanita Band of Mission Indians
Leroy J. Elliott, Chairperson
PO Box 1302
Boulevard, CA 91905

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. Elliot:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Thank you very much for your immediate attention to this matter, and if you have any questions or need any clarifications, please do not hesitate to contact me at (713) 374-3914.

Sincerely,

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Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010

WILDFLOWER
ENERGY



Tuesday, March 13, 2001

San Pasquel Band of Mission Indians
Allen E. Lawson, Chairperson
PO Box 365
Valley Center, CA 92082

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. Lawson:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010

WILDFLOWER
ENERGY



Tuesday, March 13, 2001

Santa Ysabel Band of Mission Indians
Ben Scerato, Chairperson
PO Box 130
Santa Ysabel, CA 92021

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. Scerato:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Mark Turner
Project Development Manager
Wildflower Energy LP

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Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010

WILDFLOWER
ENERGY



Tuesday, March 13, 2001

Sycuan Band of Mission Indians
Georgia Tucker, Chairperson
5459 Dehesa Road
El Cajon, CA 92021

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Ms Tucker

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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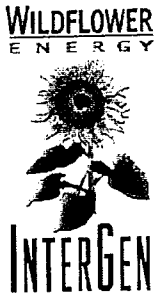
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Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010



Tuesday, March 13, 2001

Viejas Band of Mission Indians
Steven TeSam, Chairperson
PO Box 908
Alpine, CA 91903

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. Tesam:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010

WILDFLOWER
ENERGY



Tuesday, March 13, 2001

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grande Road
Alpine, CA 92001

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. Christman:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010



Tuesday, March 13, 2001

Campo Band of Mission Indians
Ralph Goff, Chairperson
36190 Church road, Suite 1
Campo, CA 91906

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. Goff:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Sincerely,

Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010



Tuesday, March 13, 2001

Jamul Indian Village
Kenneth Meza, Chairperson
P.O. Box 612
Jamul, CA 91935

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. Meza:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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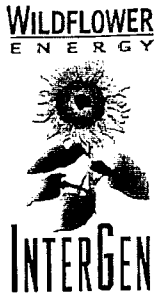
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Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010



Tuesday, March 13, 2001

Carmen Lucas
PO Box 44
Julian, CA 92036

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Ms Lucas:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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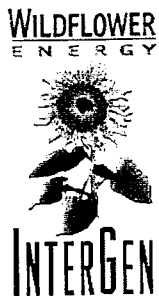
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Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010



Tuesday, March 13, 2001

Mesa Grande Band of Mission Indians
Howard Maxcy, Chairperson
PO Box 270
Santa Ysabel, CA 92070

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. Maxcy:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010



Tuesday, March 13, 2001

Kumeyaay Cultural Heritage Preservation
Frank Salazar
3611190 Suite 5, Church Road
Campo, CA 91906

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Mr. Salazar:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010



Tuesday, March 13, 2001

Inaja Band of Mission Indians
Rebecca Maxcy
PO Box 186
Santa Ysabel, CA 92070

RE: Larkspur Energy Facility – CEC Docket # 01-EP-1 (San Diego County)

Dear Ms Maxcy:

On Monday, March 12, 2001, we contacted Rob Wood of the Native American Heritage Commission to determine whether or not our proposed development of 2 – 45MW simple cycle gas-fired generating facilities to be located within the City limits of San Diego at the intersection of Otay Mesa Road and Harvest Road in the County of San Diego would affect any Native American cultural resources that may be present. According to the records of the Native American Heritage Commission, there is no specific site information in the sacred lands file with respect to our project area (see attached vicinity map).

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Mark Turner
Project Development Manager
Wildflower Energy LP

Enclosure

Two Houston Center, 909 Fannin, Suite 2222 / Houston, Texas 77010